
UNITED STATES DISTRICT COURT
OF THE
DISTRICT OF MINNESOTA

IN RE THE APPLICATION OF

Pedro Ramirez Quiroz,
Plaintiff/Petitioner

Case No. 17-cv-3211
(MJD/KMM)

v.

Devina Monique Chavez,
Defendant/Respondent

ORDER

WHEREAS the Petitioner initiated this matter for the return to Mexico of Children pursuant to the Convention on the Civil Aspects of International Child Abduction, done at the Hague on October 25, 1980 (“Convention”) and International Child Abduction Remedies Act, 22 U.S.C. § 9001 et seq.;

WHEREAS the Petitioner filed initial pleadings on July 21, 2017 and served the Respondent personally at her place of employment in Brooklyn Park, Minnesota on July 28, 2017;

WHEREAS the Court held an expedited hearing on August 10, 2017, at which time the Respondent appeared personally with AMR and JR, children of both Petitioner and Respondent, (“the Children”) and the Court set the matter on for trial set for September 19, 2017;

WHEREAS the Petitioner is represented in this proceeding by C. Alexander Anderson-Cazales, Esq., of the Law Office of Iris Ramos, LLC, 118 E. 26th Street, Suite 210B, Minneapolis, MN 55404 and the Respondent is represented in this proceeding by Timothy W. Billion, Esq., and Christopher A. Pinahs, Esq., of Robins Kaplan LLP, 800 LaSalle Avenue, Suite 2800, Minneapolis, MN 55402;

WHEREAS the parties agree that the Court herein has jurisdiction over this case pursuant to 22 U.S.C. § 9003(a) (jurisdiction under the Hague Convention) and 28 U.S.C. § 1331 (federal question jurisdiction). Venue is proper pursuant to 22 U.S.C. § 9003 and 28 U.S.C. § 1391(b) because the Children and Respondent are residing at Respondent's last known address in the District of Minnesota at 105 Caramel Ave., Apt. 120, W. St. Paul, MN 55118;

WHEREAS the parties desire to resolve the matter amicably and to that end have engaged in negotiation of settlement terms which they set forth below;

WHEREAS the parties have had the opportunity to review said terms and consult with their respective attorneys;

WHEREAS the parties have agreed to continue to engage in discussion of mutually agreeable custody terms to be presented to a Mexican court of competent jurisdiction, which terms are not part of this Order and upon which this agreement is not conditioned;

WHEREAS the parties agree that the terms below are the terms upon which they agree to settle this matter;

Accordingly, based on the above, **IT IS HEREBY ORDERED** that:

1. The Respondent shall turn over the Children to the Petitioner's physical custody on September 19, 2017 at a time and place mutually agreed to by the parties.

2. The Petitioner may remove the Children from the State of Minnesota and the United States of America on or after September 19, 2017.
3. The Respondent shall cooperate with the Petitioner in obtaining valid U.S. passports for the Children.
4. The Petitioner shall assume all costs of transportation for the Children for their return to Mexico.
5. The Petitioner agrees not to initiate, directly or indirectly through influencing other persons, any criminal proceedings against Respondent arising out of the allegations recounted in Petitioner's Amended Verified Complaint and Petition for Return of the Children [Docket No. 27] in Civil File No. 17-3211 (MJD/KMM) (D. Minn.).
6. The Petitioner hereby waives and withdraws his request for attorney's fees and costs associated with bringing forth this Petition.

LET JUDGMENT BE ENTERED ACCORDINGLY.

BY THE COURT:

Dated: September 19, 2017

s/ Michael J. Davis

Michael J. Davis

United States District Court Judge